

Deficiency Progress Report - Update 6

To complete the evaluation process, Cal/EPA requires the CUPAs to submit Deficiency Progress Reports that explain the CUPA's progress towards correcting the identified deficiencies. Deficiency Progress Reports are due every 90 days after the evaluation date until all deficiencies have been corrected.

CUPA Name: Colusa County Environmental Health Division

Evaluation Date: July 25, 2007 and August 7, 2007

Evaluators: JoAnn Jaschke, CalEPA
Mickey Pierce, DTSC
Jack Harrah, OES
Francis Mateo, OSFM

Date Update 1 submitted: November 16, 2007

Date Update 2 submitted: February 14, 2008

Deficiency corrected with update 2: Deficiency 6

Date Update 3 submitted: Due May 5, 2008

Date Update 4 submitted: September 18, 2008

Deficiency corrected with update 4: Deficiency 3, 5,

Date update 5 submitted: November 18, 2008

Deficiency corrected with update 5: Deficiency 1, 2, and 4

Date update 6 submitted:

Deficiency 7: The CUPA is neither regulating farms under the business plan program, nor properly exempting them from the provisions of the business plan program.

Preliminary Corrective Action(s): By July 25, 2008, the CUPA must develop an action plan to either regulate agricultural handlers under the business plan program, or to properly apply one or more of the available exemptions.

CUPA Corrective Action, (Update 1): Colusa County Environmental Health is currently trying to locate the local ordinance/policy that the County was using to exempt farms from the CUPA Program. Also, we would like for the State OES to provide training and meet with our Board of Supervisors, so that they could educate us on all the regulations that we need to follow.

Cal/EPA and OES Response, (Update 1): Cal/EPA and OES accept the progress Colusa County is making towards correcting this deficiency. OES can provide Colusa County, including the Board of Supervisors, with training on the business plan program, specifically with regard to agricultural handlers.

In the next progress report, provide OES a copy of the local ordinance/policy that the County was using to exempt farms.

CUPA Corrective Action, (Update 2): Colusa County Environmental Health is attempting to find that provision. We have a request to the former PA who was regulating the HMBP's. If we can't locate ordinances/policies by 3/1/08. We will re-examine the farm exemption.

Cal/EPA and OES Response, (Update 2): Cal/EPA and OES accept the progress Colusa County is making towards correcting this deficiency. Cal/EPA and OES feel the CUPA is on there way towards meeting the July 25, 2008, to develop an action plan to either regulate agricultural handlers under the business plan program, or to properly apply one or more of the available exemptions. Continue to update Cal/EPA and OES on the progress via deficiency progress reports.

CUPA Corrective Action, (Update 3): Colusa County Environmental Health could not locate any ordinances which would exempt farmers from the CUPA Program. We would like the State OES to make a presentation to the BOS/Farm Bureau. This training will help educate the public and staff about each or our roles in the CUPA Program.

OES Response, (Update 3): To arrange for an OES presentation to your governing Board or any other group, please call Brian Abeel at (916) 845-8768 or Jack Harrah at (916)845-8759.

CUPA Corrective Action, (Update 4): As stated in earlier updates, we would like State OES to conduct a scheduled meeting with the constituents of Colusa County.

OES Response, (Update 4): The situation remains the same as at update #3, and OES' response is the same as the response to update #3. Contact Brian Abeel at (916) 845-8768 to arrange a presentation, and one or more of OES HazMat staff will travel to Colusa County and outline program requirements and the CUPA's options to whatever audience you feel needs the information.

CUPA Corrective Action, (Update 5): Colusa County will make arrangements with Jack Harrah & Brian Abeel to provide a meeting/training with Colusa County and its constituents.

OES Response, (Update 5): We await a call from the CUPA scheduling a meeting.

CUPA Corrective Action, (Update 6): We apologize that Colusa County has undergone a change in staffing for both our Environmental Health Director position and our primary CUPA staff member. As a result, there has been no further follow up since the last update. We will begin discussions with the Board of Supervisors on how to proceed with the proposed educational presentation to the Farm Bureau and work on getting something scheduled in the next few months (The Farm Bureau Board only meets once per month). Thank you for your understanding. Beth Robey, Director, Colusa County Department of Health and Human Services.

CalEMA (formerly OES) Response, (Update 6): We await a call from the CUPA scheduling a meeting. Additionally, at this time, there are several other CUPAs with similar situations that are dealing with custom exemptions for farm handlers under HSC 25503.5(c)(3). Upon request from the CUPA, CalEMA will put you in contact with staff from these CUPAs.